

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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VT CONSTRUCTION, INC.,

Plaintiff,

v.

H2J ENVIRONMENTAL, LLC; et al.,

Defendants.

3:14-CV-0128-LRH-WGC

ORDER

Before the court is plaintiff VT Construction, Inc.'s ("VT Construction") motion for leave to file an amended complaint. Doc. #54.¹

A party may amend its pleadings after a responsive pleading has been filed by leave of court. FED. R. CIV. P. 15(a)(2). Leave of court to amend should be freely given when justice so requires and when there is no undue delay, bad faith, or dilatory motive on the part of the moving party. *See Wright v. Incline Village General Imp. Dist.*, 597 F.Supp.2d 1191 (D. Nev. 2009); *DCD Programs, LTD v. Leighton*, 883 F.2d 183 (9th Cir. 1987).

Here, VT Construction requests leave to amend its complaint to add new claims against certain third-party defendants, as well as add a new defendant to this action. *See* Doc. #54. A copy of the proposed amended complaint is attached to the motion in accordance with LR 15-1. Doc. #54, Exhibit 1.

¹ Refers to the court's docket number.

1 The court finds that there is no undue delay, bad faith, or dilatory motive on behalf of
2 VT Construction in requesting leave to amend its complaint. Further, the court finds that the matter
3 is early in discovery and that the defendants would not be prejudiced by allowing amendment.
4 Accordingly, VT Construction shall be granted leave to amend its complaint.

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6 IT IS THEREFORE ORDERED that plaintiff's motion for leave to file an amended
7 complaint (Doc. #54) is GRANTED. Plaintiff VT Construction, Inc. shall have ten (10) days after
8 entry of this order to file the amended complaint attached as Exhibit 1 to the motion for leave to file
9 an amended complaint (Doc. #54, Exhibit 1).

10 IT IS SO ORDERED.

11 DATED this 7th day of August, 2014.

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14 LARRY R. HICKS
15 UNITED STATES DISTRICT JUDGE
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